

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PRESTON KEITH JACKSON,

Defendant.

**CR-11-61-GF-BMM**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on February 26, 2019. (Doc. 34.) The United States accused Defendant Preston Keith Jackson of violating his conditions of supervised release by: 1) failing to report to the probation office within 72 hours of being released from the custody of the Bureau of Prisons and 2) failing to notify the probation officer of a change in residence. (Doc. 31 at 1-2.) Jackson admitted to both violations of his supervised release. (Doc. 39 at 2.)

Judge Johnston entered Findings and Recommendations on February 27, 2019. (Doc. 38.) Judge Johnston subsequently entered Amended Findings and Recommendations on February 28, 2019. (Doc. 39.) Judge Johnston recommended that the Court revoke Jackson's supervised release. *Id.* at 3. Judge Johnston

recommended that the Court commit Jackson to the custody of the Bureau of Prisons for period time served with 35 months of supervised release to follow. *Id.*

Jackson waived his right to object to Judge Johnston's Findings and Recommendations. *Id.* at 3-4. The Government did not file an objection. The Court will review Judge Johnston's Findings and Recommendations for clear error. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error in Judge Johnston's Findings and Recommendations. Jackson's violations represent a serious breach of the Court's trust. A custodial sentence of time served with 35 months of supervised release to follow, is a sufficient, but not greater than necessary sentence.

**IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 39) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Preston Keith Jackson is sentenced to a period of custody of time served follow by 35 months of supervised release.

DATED this 1<sup>st</sup> day of March, 2019.



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Brian Morris  
United States District Court Judge